IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 1916 OF 2007

Sagar Manohar Waghmare. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Umesh Mankapure for the applicant.

Y.S.Shinde, APP for the State.

CORAL: V.C.DAGA, J.

DATED: 13th July 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.54/2006 registered with Wadgaon Police Station, district- Kolhapur for the offences punishable under sections 302, 201, 120(b) of Indian Penal Code.

3. The learned counsel for the applicant submit that another co-accused Mr.Jayant Monappa Shetty is already granted bail by this Court vide order 10th April, 2007 passed in Criminal Application No.727/2007; wherein it has been categorically observed by the learned single of this Court that

co-accused Deepak Patil and Sanjay Chavan have already been released on bail by this Court. Case of Deepak Patil and the present applicant Sagar Waghmare stands on the same footing. Both of them are similarly circumstanced. The allegations against both Deepak and Sagar are that they had brought insecticide and given the same to accused- Rajendra.

4. Considering grant of bail in favour of Deepak Patil, in my opinion, on principle of parity the present applicant is also entitled for bail. Looking to the facts and circumstances of the case, I am inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.54/2006 registered with Wadgaon Police Station, district- Kolhapur shall be enlarged on bail in the sum of Rs.30,000/- with one or two local sureties to make up the said amount.

(b) The applicant shall report to the Wadgaon Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect

only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witness and shall not in any manner tamper with the evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

3. Application stands disposed of accordingly.

JUDGE